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Amber Fryer*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

EUGENE COINS, JR.,  
  
Plaintiff,  
  
v.  
  
FRYE, et al.,  
  
Defendants.

Case No. 3:17-cv-00090-MMD-CLB

**MOTION FOR EXTENSION OF TIME  
TO FILE STIPULATION TO DISMISS  
WITH PREJUDICE  
(First Request)**

Defendant, Amber Fryer, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Peter E. Dunkley, Deputy Attorney General, hereby submit this Motion for Extension of Time to File Stipulation to Dismiss with Prejudice (First Request). This Motion is based on Federal Rule of Civil Procedure 6(b)(1)(A), the following Memorandum of Points and Authorities, and all papers and pleadings on file in this action.

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. INTRODUCTION AND BACKGROUND**

A successful settlement conference was conducted on May 5, 2020, with settlement terms placed on the record. *See* Minutes, ECF No. 60. The Office of the Attorney General (OAG) sent Mr. Coins copies of the settlement documents on May 27, 2020<sup>1</sup> and it appears that Mr. Coins has not had sufficient time to sign and return the documents. The OAG

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<sup>1</sup> The initial delay was solely the result of an approval process which took longer than expected. The OAG does not believe that Mr. Coins is withholding the settlement documents.

will schedule a telephone conference with Mr. Coins to discuss the status of the documents. Accordingly, Defendant respectfully requests a fourteen (14) day extension of time out from the current deadline of June 5, 2020, making June 19, 2020 the new deadline to file the Stipulation to Dismiss.

## II. ARGUMENT

Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:

When an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires; or (B) on motion made after the time has expired if the party failed to act because of excusable neglect.

The requested fourteen (14) day extension of time should permit sufficient time for Mr. Coins to sign and return the settlement documents and for the OAG to file the Stipulation to Dismiss with Prejudice.

For these reasons, Defendant respectfully requests a fourteen (14) day extension of time from the current deadline to file the Stipulation to Dismiss, with a new deadline to and including Friday, June 19, 2020.

DATED this 5th day of June 2020.

AARON D. FORD  
Attorney General

By: /s/ Peter E. Dunkley  
PETER E. DUNKLEY, Bar No. 11110  
Deputy Attorney General

*Attorneys for Defendants*

IT IS SO ORDERED:

  
UNITED STATES MAGISTRATE JUDGE

DATED: June 8, 2020.

**CERTIFICATE OF SERVICE**

I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 5th day of June, 2020, I caused to be deposited for mailing a true and correct copy of the foregoing, **MOTION FOR EXTENSION OF TIME TO FILE STIPULATION TO DISMISS WITH PREJUDICE (First Request)**, to the following:

Eugene Coins, #87350  
Warm Springs Correctional Center  
P.O. Box 7007  
Carson City, NV 89702

/s/ Caitie Collins  
An employee of the  
Office of the Attorney General